

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEJUAN THORNTON,

Plaintiff,

Case No. 14-14118

Hon. Victoria A. Roberts

v.

COMERICA BANK,

Defendant.

ORDER DENYING MOTION FOR RECONSIDERATION

On October 30, 2014, the Court issued an Order Granting Application to Proceed In Forma Pauperis and Dismissing Claim. The Court found that the allegations were frivolous. *See, Neitzke v. Williams*, 490 U.S. 319, 324-25 (1989). Plaintiff filed a motion for reconsideration. The Court denies Plaintiff's Motion.

Local Rule 7.1(h)(3) provides the Court's standard of review:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

Palpable defects are those which are "obvious, clear, unmistakable, manifest or plain." *Mich. Dep't of Treasury v. Michalec*, 181 F. Supp. 2d 731, 734 (E.D. Mich. 2002).

"It is an exception to the norm for the Court to grant a motion for reconsideration."

Maiberger v. City of Livonia, 724 F. Supp. 2d 759, 780 (E.D. Mich. 2010). "[A]bsent a significant error that changes the outcome of a ruling on a motion, the Court will not

provide a party with an opportunity to relitigate issues already decided." *Id.*

Thornton has not demonstrated that the Court committed a palpable defect. As before, Thornton fails to identify the law and authority that allows the Court to grant his requested relief of a court order. Thornton says the Court has diversity jurisdiction over this matter under 28 U.S.C. § 1332 because his alleged property is over \$75,000.00; however, it remains unclear whether jurisdiction exists because the Court does not know what law Thornton uses to assert his rights.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: January 15, 2015

The undersigned certifies that a copy of this document was served on the attorneys of record and DeJuan Thorton by electronic means or U.S. Mail on January 15, 2015.

S/Carol A. Pinegar

Deputy Clerk